

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): Boer et al.
Case: 10-6-6-6
Serial No.: 10/562,619
Filing Date: May 26, 2006
Group: 2473
Examiner: Candal Elpenord

Title: Method and Apparatus for Backwards Compatible Communication in a Multiple Input Multiple Output Communication System with Lower Order Receivers

TRANSMITTAL OF APPEAL BRIEF

Mail Stop Appeal Brief
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following documents relating to the above-identified patent application:

1. Appeal Brief;
2. Copy of Notice of Appeal, filed on February 1, 2011, with copy of Electronic; and Acknowledgment Receipt indicating receipt of Notice by PTO on February 1, 2011.

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 50-0762** as required to correct the error.

Respectfully,

/Kevin M. Mason/

Date: February 1, 2011

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Electronic Acknowledgement Receipt

EFS ID:	9350302
Application Number:	10562619
International Application Number:	
Confirmation Number:	6190
Title of Invention:	Methods and apparatus for backwards compatible communication in a multiple input multiple output communication system with lower order receivers
First Named Inventor/Applicant Name:	Jan Boer
Customer Number:	47386
Filer:	Kevin M. Mason
Filer Authorized By:	
Attorney Docket Number:	Boer-10-6-6-6
Receipt Date:	01-FEB-2011
Filing Date:	26-MAY-2006
Time Stamp:	11:08:50
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/Message Digest	Multi Part/.zip	Pages (if appl.)
1	Notice of Appeal Filed	1150-1280_NoticeofAppeal_02 012011.pdf	59137 7279249603d229821e9a2e911265107bf ee2c	no	1

Warnings:

Information:

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.



New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) Boer-10-6-6-6						
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on _____.</p> <p>Signature _____ Typed or printed name _____</p>								
<p>In re Application of Boer et al.</p> <table border="1"> <tr> <td>Application Number 10/562,619</td> <td>Filed May 26, 2006</td> </tr> <tr> <td colspan="2">For Methods and Apparatus for Backwards Compatible Communication in a Multiple Input Multiple Output</td> </tr> <tr> <td>Group Art Unit 2473</td> <td>Examiner Candal Elpenord</td> </tr> </table>			Application Number 10/562,619	Filed May 26, 2006	For Methods and Apparatus for Backwards Compatible Communication in a Multiple Input Multiple Output		Group Art Unit 2473	Examiner Candal Elpenord
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For Methods and Apparatus for Backwards Compatible Communication in a Multiple Input Multiple Output								
Group Art Unit 2473	Examiner Candal Elpenord							

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$Previously Paid

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$_____.
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0762. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- applicant/inventor. /Kevin M. Mason/
Signature
- assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b)
is enclosed. (Form PTO/SB/96)
- attorney or agent of record. Kevin M. Mason
Typed or printed name
- attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a). February 1, 2011
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

- *Total of _____ forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

